

OPENNESS: THE WAY TO DO BUSINESS

PRESS CONFERENCE FACT SHEETS

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EXECUTIVE SUMMARY

Three years after announcing the first Openness Initiative, the Department of Energy is announcing new measures to ensure that **openness is the way to do business** in the future. In addition, the Department is releasing today **more newly declassified material**, and issuing several reports on **nuclear accountability, health, and safety**. This material is described in detail in the accompanying Fact Sheets.

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DTIC QUALITY INSPECTED 2

Maximizing openness not only benefits the public, but also enhances national security. Limiting classification to sensitive information that protects our national security allows for such information to be better protected. We are building "**high fences around narrow areas.**"¹ This goal is consistent with maximizing the public release of information that is no longer sensitive and no longer warrants classification.

In December 1993, the Secretary of Energy **broke the silence** at her first Openness Press Conference and announced all U.S. nuclear tests. Since then the Department of Energy has systematically opened up this once very secretive agency. In June 1994, at the second Openness Press Conference, the Department provided information on the locations and quantities of the Department's stockpile of highly enriched uranium. Finally, in February 1996, the Secretary informed the public about plutonium production, acquisition, use, disposition, and inventories in the United States over the past 50 years. This allowed the public to be better informed and involved regarding disposition of excess plutonium and uranium. The Department is now engaged in a dynamic and multifaceted Openness Program.

Improving Nuclear Accountability, Health, and Safety

The Department of Energy Declassifies Documents Concerning Plutonium Left in Vietnam: The United States, Vietnam, and International Atomic Energy Agency Are Cooperating on Plutonium Accountability.

During the review of historical documents, Department of Energy declassifiers discovered classified documents which describe a surprising incident that occurred during the last year of the Vietnam War. About 80 grams of plutonium, supplied by the U.S. to the Republic of Vietnam for civilian research purposes, were not recovered during the chaotic final days of the Republic in 1975. The quantity of plutonium (80 grams) is far short of sufficient material to make a nuclear weapon. There is no nuclear proliferation concern.

Federal volunteers made a harrowing penetration to the Dalat site of the Vietnamese research reactor and successfully arranged the recovery of the enriched uranium reactor fuel. A marking error during the confusion of withdrawal led to the inadvertent abandonment of plutonium at the site -- a fact that was only recently discovered during the declassification of documents under Executive Order 12958. The Department has reported this incident to the International Atomic Energy Agency (IAEA) so it can resume accountability and control of the plutonium. Both the IAEA and the Vietnam Government have been extremely helpful in moving to resolve the location of the plutonium.

Historical Nuclear Weapons Test Films to be Released.

About **6,500 previously unreleased films** on the early days of the U.S. nuclear weapons program are being declassified or unclassified versions are being made of those films that still must remain classified. This release is a product of a joint DOE/DoD project to salvage these deteriorating but priceless films which provide a unique historic picture of the U.S. nuclear testing program. Although portions of some of these films have been released in the past, much more will be released as a result of this project. A list of the available films will be provided on the Internet via the DOE OpenNet home pages. The original films under the Department's custody will be turned over to the National Archives and Records Administration for historical purposes. Today the Department is releasing the first declassified historic films.

Highly Enriched Uranium (HEU) Vulnerability Assessment Report.

Secretary O'Leary today released the fourth in a series of vulnerability studies concerning hazardous materials throughout the nuclear weapons and materials production complex. Similar studies previously released addressed spent fuel (1993), hazardous chemicals (1994), and plutonium (1994). The Department is responsible for a large amount of HEU and some dangers are inherent in storage of large quantities of such material. The HEU vulnerability assessment was an evaluation of the barriers that

protect workers, the public, and the environment from operations or accidents involving HEU and other types of hazardous materials collocated or commingled with HEU. The assessment involved 175 facilities at 22 DOE sites.

Nuclear Weapons Production and the Environment.

The Department is releasing a congressionally-mandated report that provides the first comprehensive analysis of sources of wastes and contamination generated by the production of nuclear weapons. The results show that historic nuclear weapons production resulted in roughly 70 percent of the environmental legacy now being cleaned up by the Department, with nuclear energy and basic scientific research generating the remainder. In addition, the report identifies specific parts of the production process that generated the majority of the waste and contamination. This analysis has already proven useful in helping to guide pollution prevention efforts and avoid problems in the future. By making this information available and acting on it, the United States can help other nations in developing and using alternative technologies to improve nuclear safety, save money, and promote nuclear nonproliferation.

More U.S. Nuclear Tests Leaked Radiological Effluents Than Were Previously Announced.

The Department of Energy's goal is to inform the public of all atmospheric releases of radiological effluents that resulted from the U.S. Underground Nuclear Testing Program. In December 1993 and June 1994 the Department declassified information related to 204 previously unannounced nuclear tests and simultaneous detonations. Of these newly declassified tests, 93 were disclosed to have on-site radiological effluent releases and DOE disclosed the total curies released from these tests at the time of the tests. Since that time, further review of the data revealed that 13 tests disclosed prior to 1993 also released radiological effluents on site. Today, the DOE completes the picture by providing in the document, "Radiological Effluents Released from U.S. Continental Tests 1961 Through 1992" (DOE/NV-317 (Rev.1), a comprehensive update of the effluents from underground tests by adding the onsite radiological effluents (such as the isotopes of Xenon) for the 93 and 13 nuclear tests. This includes both the effluents from the initial tests as well as effluents resulting from later sampling.

Russian Minister Mikhailov Responds to Secretary O'Leary's Openness Challenge.

The Department of Energy is releasing a document, "Report on U.S.S.R. Nuclear Weapons Tests and Peaceful Nuclear Explosions, 1949 through 1990," that is a concrete example of how **responsible openness** can lead to dismantling the walls of secrecy that existed during the Cold War. This unprecedented document presents a report received by the Department of Energy and the Department of Defense from the Ministry of the Russian Federation for Atomic Energy, its Russian counterpart. This report presents official data on all Soviet nuclear tests and peaceful nuclear explosions. It is acknowledged by Russian Minister V.N. Mikhailov as "symmetric" to the similar U.S. report, DOE/NV-209, offered earlier by Secretary O'Leary as a challenge to Minister Mikhailov to release similar Soviet data. Presented in the Fact Sheet are summary extracts drawn from both the United States and Russian reports.

Highly Enriched Uranium Report: The First 50 Years -- a Commitment.

This report will describe the history of Government production, acquisition, use, disposition, and inventories of highly enriched uranium. This report, a twin to the plutonium report, was requested by the Secretary in February 1996, but has been delayed by more than 6 months due to difficulties with identifying, accessing, and analyzing historical production and transaction data, which have proved more difficult than was the case with the earlier report on plutonium. Publication is scheduled in September 1997. This report will provide assistance to worldwide nonproliferation efforts by revealing where United States highly enriched uranium resides in the United States as well as in other nations. It will also assist regulators in environmental, health, and safety matters at domestic sites where this material is stored or buried.

Openness: The Way to Do Business

Department of Energy Beats President Clinton's Openness Goal by 25 Percent.

In Executive Order 12958, President Clinton challenged each agency to declassify 15 percent of its old classified National Security Information document collections in a year. The **Department of Energy not only met this goal, but surpassed it.** Specifically, the Department's goal was to declassify about 1.5 million pages, but it actually was able to declassify 1.9 million pages, thus **exceeding its goal by over 25 percent.** Furthermore, the Department has gone beyond the President's requirement to declassify National Security Information by also committing to declassify nuclear-related classified Restricted Data. In fact, the Department has **declassified or confirmed unclassified more than 11 million pages** in the past 3 years. For the third year in a row, the Department of Energy is declassifying more documents than it is classifying.

Rules of the Road for Responsible Openness.

The Department is releasing this week for public comment a proposed draft regulation, 10 CFR PART 1045, "Information Classification." This unprecedented effort formalizes and strengthens the Department of Energy's commitment to responsible openness. It provides the public with more detailed information than ever before about what is being classified and why. This is the first time that the **public will participate in the formulation of basic policies and procedures** concerning the classification of nuclear-related information. The Department is not trying to impose more rules on the public but rather is setting limits on itself and those other Government agencies that have classified nuclear information. It provides the framework for better classification management of nuclear-related information; it requires that such classification be justified; it spells out classification criteria; and it prohibits the misuse of authority.

Delivering the Results of Openness to the Customer.

Declassification of millions of pages is **meaningless** unless people who need the information **know where to find it.** To address this public access problem, the Department of Energy is placing a database on the Internet that will help to locate information about documents reviewed under Executive Order 12958. This new database records significant information regarding the contents of classified records collections that have been reviewed at the National Archives and Records Administration as well as at the DOE Headquarters History Division. This new database will be publicly available on Internet via the DOE Home Page and OpenNet.

Contracting for Responsible Openness.

The majority of Department of Energy classified records are generated by and are under the control of its contractors. As a result, the Department's openness goals can be fulfilled only if contractors are fully committed to its success. In the past, contractors were required only to classify correctly. In the future, contractors will be required to continue to classify truly sensitive documents, but they will now also be specifically **required to declassify documents that are no longer sensitive.** The Department's Acquisition Regulation is being modified to ensure that all new contracts and subcontracts dealing with classified documents contain a clause requiring that the contractor establish a systematic declassification program for its records. In addition, all existing such contracts are being amended over a 5-year phase-in period to include declassification. This step reaffirms that the Department of Energy is committed to openness for the long haul.

Nuclear Classification Policy Reinvented.

In response to stakeholders requests, in March 1995, the Secretary of Energy initiated a Fundamental Classification Policy Review to perform the most extensive analysis of its kind. This review was completed with considerable assistance from the DoD and the intelligence community. Today the final report is being provided to the Department of Defense for concurrence. In this review, the Department of Energy's classification policy was assessed to determine which information requires continued protection and which no longer warrants classification. This unprecedented study has resulted in over

one hundred recommendations for changes in the Department's policies and practices. **More information will be declassified. Costs will be reduced** as information that is no longer sensitive is declassified. **National security will be enhanced** as limited security resources are focused on only that information that is truly sensitive.

Conclusion

These latest deliveries on openness demonstrate that openness is good policy because it is the **right thing to do**, with many demonstrable **positive benefits to the public and to the Department**. Of course, providing the maximum amount of nuclear-related information to the American public has been and will continue to be "subject at all times to the paramount objective of making the maximum contribution to the **common defense and security**" of the United States.

We have engaged the Department of Energy's stakeholders in an **ongoing dialogue** that has, through openness, made the Department accountable for its actions. In return, the public is beginning to place **greater trust** in the Department to provide accurate and complete information about its past and current activities.

Improving Nuclear Accountability, Health, and Safety

THE DEPARTMENT OF ENERGY DECLASSIFIES DOCUMENTS CONCERNING PLUTONIUM LEFT IN VIETNAM: THE UNITED STATES, VIETNAM, AND INTERNATIONAL ATOMIC ENERGY AGENCY ARE COOPERATING ON PLUTONIUM ACCOUNTABILITY

Upon recent notification by the U.S. Department of Energy, officials from the Vietnamese Atomic Energy Agency (VINATOM) and the International Atomic Energy Agency (IAEA) are taking prompt action to verify the status of a small amount of U.S. plutonium (80 grams) left in Vietnam in 1975. Until recently, the plutonium was believed to have been removed and returned to the U.S. just before the end of the Vietnam War.

The volume of plutonium and circumstances involved do not give rise to special proliferation concerns. Vietnam, which is a signatory to the Non-Proliferation Treaty and a member of the IAEA, files regular reports to the IAEA on radioactive materials in its possession. Officials from VINATOM and its research facility in Dalat, where the materials are believed to be located, have been responsive to inquiries by the U.S. on this subject. The U.S. Department of State advises that the IAEA is scheduled to conduct an inspection of the Dalat facility in February, 1997.

The Department of Energy today is releasing previously classified documents relating to the plutonium. A copy of these documents is attached. The documents were located and declassified as part of the Department's program to declassify documents under Executive Order (E.O.) 12958, "Classified National Security Information."

By today's release, the Department is revising DOE/DP-0137, "Plutonium: The First Fifty Years," issued in February 1996 to indicate that the plutonium was not retrieved and returned to the U.S. Quantities listed are based on evaluation of the original records. The quantities may be updated after re-evaluation of the records.

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BACKGROUND :

A small sealed radioactive source which was transferred from Vietnam to the United States a number of years ago and which was thought to contain a small quantity of plutonium proved in fact to contain polonium. It was concluded that the source, containing approximately 80 grams of plutonium, must, therefore, have remained in Vietnam.

Although such a small quantity does not present a proliferation risk, the United States Government (Department of Energy) has recently asked the IAEA whether it has a record of a plutonium source in Vietnam. The IAEA has replied affirmatively and has agreed to check whether this source is identical to that which was thought to have been transferred to the United States.

In 1962, the United States transferred approximately 80 grams of plutonium to the Republic of Vietnam (South Vietnam) for use in a research reactor in the small village of Dalat. The plutonium was transferred under the 1959 Agreement for Cooperation between the United States and the Republic of Vietnam Concerning Civil Uses of Atomic Energy to implement the Atoms for Peace program. The plutonium was used for research and educational purposes in a small TRIGA reactor. With the agreement of the government of the Republic of Vietnam, in 1975 the United States retrieved approximately 13 kilograms of uranium fuel enriched to approximately 19.9 percent U-235. It was previously believed that the 80 grams of plutonium were also recovered at that time.

Previously during the Tet offensive of January 1968, Dalat was occupied and the nuclear reactor at Dalat was shut down. When two U.S. volunteers, on a mission to retrieve the uranium and plutonium, reached Saigon in late March 1975, all communications were shut off from Dalat, which is approximately 180 miles North of Saigon. By this time, the village of Dalat was surrounded on three sides by Viet Cong and North Vietnamese regulars.

At the volunteers' request, the mission to retrieve the fuel was scheduled for Easter Sunday with the thought that the Viet Cong would believe any Americans in the country would be observing the holiday. The team was instructed by the American Ambassador in Saigon that if the Viet Cong and North Vietnamese regulars overran Dalat, they were on their own and the best course of escape would be to walk 50 miles to the coast. They found that the reactor and fuel sources were intact but had to make arrangements for missing tools, shipping containers, and a fork lift to be dispatched before disassembly could begin. This equipment was airlifted from Fort Belvoir, Virginia, to the reactor site within 48 hours. During the process of retrieving, packaging, and labeling the uranium fuel and plutonium, nearby combat was occurring and sniper bullets were hitting the reactor area. However, all of the fuel elements were secured in shipping containers. However, a container of Polonium-Beryllium (Po-Be) was misidentified as "Pu-Be" (Plutonium-Beryllium) and designated for return to the United States, while a container that actually contained the plutonium was left at the site. By the evening of April 1, 1975, the volunteers and material were being airlifted back to Saigon. Dalat fell to the Viet Cong that night. The containers were airlifted immediately from Tan Son Nhut Airport to Clark Air Base in the Philippines, escorted by one of the volunteers. The interim destination of the fuel was a bunker on Johnston Atoll.

In 1975, the two volunteers received commendation for valor in wartime conditions.

In February 1976 when the Hanford Engineering Development Laboratory (HEDL) at Richland, Washington, received the container marked plutonium, the technicians verified the outer container description but did not conduct a neutron dose rate measurement of the container to confirm the identity of the actual material. In 1979, when a neutron dose rate measurement was made on the material, it was

discovered that it was not plutonium, but it was polonium 210 that had decayed. As a result of an extensive records search, the conclusion was reached that approximately 80 grams of plutonium had been left in Vietnam.

BENEFITS :

- As part of its Openness Initiative, the Department of Energy is declassifying information regarding the government's plutonium inventory.
- This declassification strengthens international accountability and control of plutonium by DOE's notifying the International Atomic Energy Agency.
- This action provides additional information to encourage informed public debate on plutonium management including safety, security, storage and accountability.
- Declassification of the information promotes Government accountability and trust in Government by the public.
- By releasing this information, the United States Government is acting as a responsible global leader in nuclear information transparency.

WHO ARE THE KEY STAKEHOLDERS:

- The Public. Desires data on which to base discussion concerning plutonium management in areas of safety, security, storage, and accountability.
- International Atomic Energy Agency. Provides member nations assistance in accountability, control, and oversight of plutonium.

QUESTIONS AND ANSWERS

Q. What type of a nuclear reactor was involved? What was the purpose of the reactor? Can it produce nuclear materials for weapons purposes?

A. The nuclear reactor at Dalat is a Training Research Investigation Reactor - General Atomics Mark II (TRIGA Mark II) designed by General Atomics of San Diego, California, and constructed by Kaiser Engineers of Oakland, California. The purpose of the reactor was research, training, and radioisotope production. The radioisotopes were used for research, medical diagnoses, and treatment. It is not capable of producing nuclear materials for weapons purposes. The Plutonium-Beryllium source was not produced by the reactor.

Q. Where is the Plutonium-Beryllium source today?

A. Its location is uncertain, but it is likely to be in the Socialist Republic of Vietnam. Vietnamese officials have been contacted by Department of State officials to confirm the location.

Q. What is the status of the reactor today at Dalat?

A. The Socialist Republic of Vietnam reactivated the reactor with assistance of the former Soviet Union which provided enriched uranium fuel. The reactor is being used for research and isotope production purposes.

Q. What is the form of the plutonium?

A. It is a metal alloy of plutonium and beryllium clad in stainless steel.

Q. Is the plutonium source hazardous to health?

A. The plutonium and beryllium alloy is clad in stainless steel so there is no contamination hazard unless it is opened. However, prolonged personal contact with the source could be hazardous since it is a neutron source. If the source was found by a member of the public and the person was exposed to it for eight hours per day for one year at an average distance of 1 meter, the person would receive a radiation dose of approximately 87 rem. The Federal limit for workers is 5 rem per year.

Q. Why were the documents classified in the first place?

A. The documents were classified to protect the fact that the plutonium was unaccounted for.

Q. Why can they be declassified now?

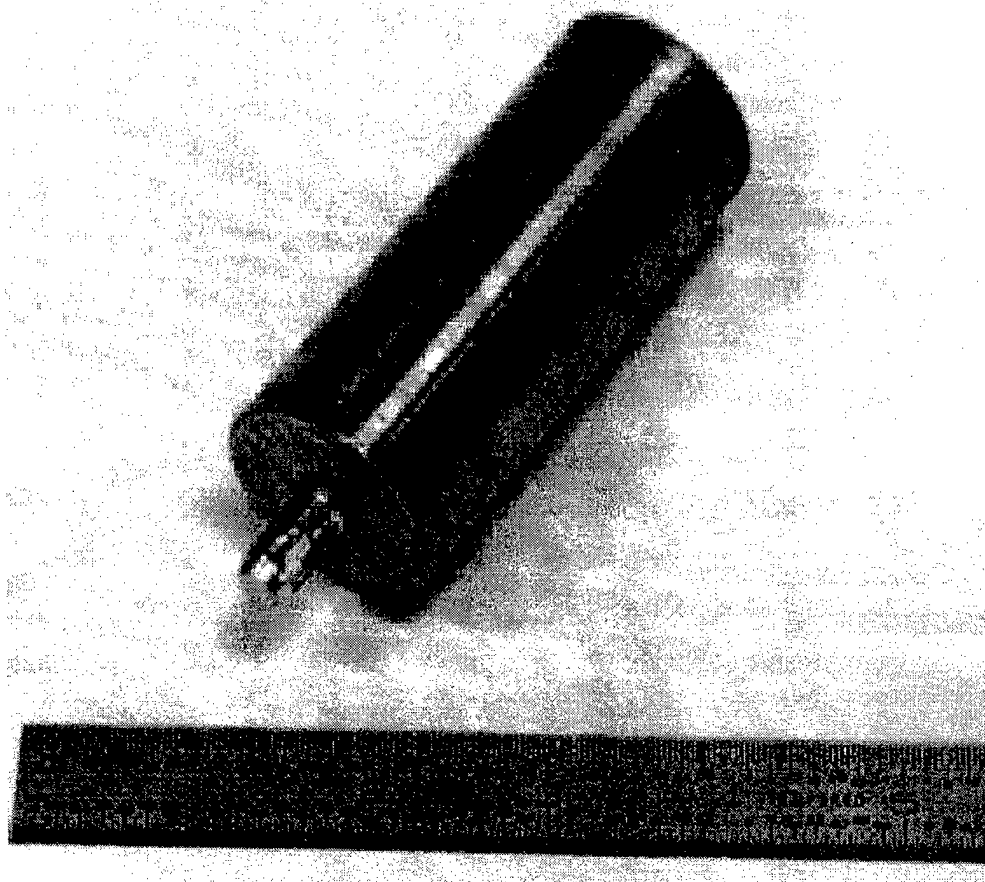
A. The documents can be declassified now since it has been confirmed that the plutonium was left in Vietnam. The name of the Vietnamese citizen who assisted has been deleted for privacy reasons.

Q. Why did it take so long to notify the International Atomic Energy Agency (IAEA) and why didn't the Government figure out more promptly that the plutonium was not retrieved?

A. The documents which made possible the notification of the IAEA were recently discovered and declassified as part of the document declassification efforts by DOE pursuant to the direction of the President in Executive Order (E.O.) 12958. Prior to that time, current DOE officials were unaware of the document. When the containers were brought to Hanford, it appears that Hanford Site technicians should not have relied upon the external markings of the container retrieved from Vietnam, but instead should have promptly verified the contents based on neutron emissions. When the error was discovered in 1979, it appears that adjustments were made to the Hanford site inventory records, but not to the overall DOE inventory records. On August 21, 1979, an INFCIRC/207 Change Report/207 Inventory Change Report reflecting import and export activity for U.S. facilities was sent to the IAEA noting the correlation. However, correct procedures dictate that the U.S. should have sent the correct form (Form 741) to the IAEA A.

Q. What happened to the enriched uranium?

A. The enriched uranium was retrieved from South Vietnam and is now at the Hanford site near Richland, Washington.



Typical 5-curie Plutonium-Beryllium Neutron Source

HISTORICAL NUCLEAR WEAPONS TEST FILMS TO BE RELEASED

The Department of Energy, in cooperation with the Department of Defense, has declassified a series of historical films on the nuclear weapons program. They are being converted to videotape format to help preserve the films and to facilitate the declassification and release process. These films document the history of the development of nuclear weapons, starting with the first bomb tested at Trinity Site in southeastern New Mexico in July 1945 through the cessation of atmospheric weapons testing in 1962. This is the first time the films have ever been edited for declassification and released. Portions of some of these films were previously released. The project is being carried out in conjunction with the Department of Energy's Albuquerque Operations Office, the Department of Energy's Office of Defense Programs, and the Department of Defense. The purpose of the project is to preserve and declassify the information contained in the large collection of films on the nuclear weapons program that are at various sites on Kirtland Air Force Base in Albuquerque.

SPECIFICALLY:

- **The Department of Energy and the Department of Defense have identified approximately 6,500 films that document the early history of the nuclear weapons program, principally its nuclear weapons testing program. These films are being transferred to videotape to preserve the historical content, reviewed for declassification, and released to the public. Today, short excerpts and some full versions are being released to the public, but until the whole film collection is converted to videotape and reviewed, the breadth of the information and types to be made available are unknown.**

- The Department is conducting a program to convert to videotape and review for declassification all films regarding historic nuclear weapons testing activities.
- These films show the preparations necessary for nuclear tests as well as the various specific objectives for the tests.
- Old, deteriorating celluloid film will be converted to digital data (Betacam) and stored on videotapes to capture the information before it is lost.
- Videotape copies of the films are being reviewed for declassification by Department of Energy and Department of Defense declassifiers. They will work with film editors to remove classified information from the tapes so that an unclassified version can be created.
- Videotape copies of the declassified films will be available through the Coordination and Information Center in Las Vegas, Nevada. Original films under the Department's custody and additional copies of the classified and declassified videotapes will be transferred to the National Archives and Records Administration in Washington, D.C. In addition, copies will be provided to the nuclear weapons laboratories to assist in knowledge preservation.
- Listings of the declassified films that are on videotape will be provided on the Internet via the DOE and OpenNet home pages.
- The Department of Energy's Office of Defense Programs is engaged in a knowledge preservation effort to ensure old technical information regarding the nuclear weapons program is preserved. Archiving technical history is a major task in the Science-Based Stockpile Stewardship Program. Information gained from nuclear testing – such as these old films – constitutes an important source of information to assist in preserving the U.S. nuclear deterrent.

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BACKGROUND

- Throughout the nuclear era, the various agencies of the Federal Government documented their activities on celluloid film. The films were used for various purposes including providing information to the public, training, and for analysis of the effects of the weapons tests. Many of these films have been lost or destroyed. Others have been stored under conditions less than ideal for preservation.
- The Albuquerque Operations Office of the Department of Energy located copies of approximately 6,500 of these deteriorating films. It is anticipated it will take the Department 5 to 7 years to complete the film declassification effort at a cost of approximately \$200,000 per year. The films are located in two repositories at Kirtland Air Force Base in Albuquerque, New Mexico. The Albuquerque Operations Office is currently engaged in transferring these old, deteriorating films, many of which are marked as classified, onto modern video cassettes for historic preservation and for reviewing these films for classified information.
- These films paint a permanent historic picture of the nuclear weapons testing program and show dramatically the urgency with which the Cold War nuclear testing program was conducted and the serious safety issues that were faced.
- The films include classified information under the responsibility of the Department of Defense

and the Department of Energy. They must be carefully reviewed to assure that their release does not compromise national security. Both agencies are cooperating in this effort.

BENEFITS:

- As part of the Openness Initiative, the Department of Energy is declassifying historic nuclear testing films which will promote Government accountability and trust in Government by the public.
- The information contained in these films will be used to support archiving within the Department, safety knowledge and information related to nuclear weapons testing.
- The visual history of the nuclear weapons testing program will be preserved for the American public.
- These films will provide assistance to historians and archivists in preparing an accurate history of nuclear testing.
- The archiving of the information contained in these films will make possible the preservation of knowledge about safety and testing of nuclear weapons within the Department.
- Release of this information should encourage other nations to declassify similar information.
- By declassifying and releasing these films, the United States Government is acting as a responsible global leader in nuclear information transparency.
- The Knowledge Preservation Project is an effort by the Department of Energy's Office of Defense Programs to capture perishable, undocumented nuclear weapon design, testing, and manufacturing information through videotaped interviews of engineers and scientists. Among other objectives, this project tries to determine why things were done the way they were. Through the release of these films, **Defense Programs** will gain additional information and increase its ability to support this valuable project. The release of these films may also provide valuable information for the training of **future Defense Programs scientists and engineers**.

WHO ARE THE STAKEHOLDERS :

Historians, film and television producers, the American public, educational institutions, researchers, authors, media organizations, public interest organizations, and local and state government agencies will gain more confidence in the Federal Government as a result of the release of these films under the Administration's policy on openness. The Government's continued release of previously classified information in formerly sensitive areas also encourages more openness in other governments, as shown by the recent Russian announcements on nuclear testing.

QUESTIONS AND ANSWERS

Q. How will the public be able to get videotape copies of the films?

A. The videotapes are being provided in cooperation with the National Archives and Records Administration in Washington, D.C. Copies of the videotapes may be obtained from the Coordination and Information Center, P.O. Box 98521, Las Vegas, Nevada 89193. The telephone number is (702) 295-0748 and the facsimile is (702) 295-0877.

Q. How soon will the videos be available?

A. The Department currently has the capacity to transfer to videotape and review for classification a maximum of 20 films per month. There are 15 films available today, and we plan to release additional films each month. A listing of the films available will be posted on the Internet at the DOE's OpenNet

site:

<http://www.doe.gov/html/osti/opennet/opennet1.html>

or go to

<http://www.doe.gov/> and select the OpenNet icon.

Q. Why were these films classified in the first place? Why can't they be released without a classification review now?

A. The films were classified to protect information that would assist strategic adversaries and nuclear proliferants. Due to the end of the Cold War, much information is no longer of national security significance. However, many of the films will have deletions of classified information that would, even today, be harmful to our national security or nonproliferation policies if not removed before release. Also, some of the films were not marked as classified when they were produced. These films will receive only a limited examination before release.

HIGHLY ENRICHED URANIUM (HEU) VULNERABILITY ASSESSMENT REPORT

The Secretary of Energy, honoring a commitment in the October 1995 Performance Agreement with the President, is releasing the highly enriched uranium (HEU) environmental, safety and health vulnerability assessment report.

This study completes a series of four vulnerability studies commissioned by the Secretary in 1993. It follows spent fuel (1993), hazardous chemicals (1994), and plutonium (1994). These assessments, and the openness with which they were conducted, are an important hallmark of the Department. The highly enriched uranium assessment is complex-wide and covered all highly enriched uranium except that contained in weapons, waste, or that already analyzed in the plutonium or spent fuel studies. The assessment was conducted openly and with public participation.

SPECIFICALLY:

The report includes:

- Assessment of more than 250 metric tons of HEU stored at 22 sites in 175 facilities, most of which were not meant for long-term storage and will not meet modern design standards.
- Identification of vulnerabilities related to HEU in the DOE complex. Of the vulnerabilities, 90 have the potential to affect the health and safety of workers; 16 could potentially affect the public; and 29 could potentially impact the environment. In addition, a number of other vulnerabilities were identified that are institutional in nature. (A vulnerability is defined as a "weakness in a barrier that protects the workers, the public, or the environment.")

The assessment concluded that the state of the HEU complex is less alarming than that of the plutonium complex. This is because, with the exception of inadvertent criticality, HEU is much less hazardous than plutonium or spent fuel. Uranium 235 is less than one-thousandth as radioactive as plutonium 239. However, DOE has much more HEU than plutonium, and HEU could present serious radiological hazards from any inadvertent nuclear criticality or a large release. Therefore, it requires prudent management and control. The study also concluded that the vulnerabilities associated with storage of uranium 233 are significant. A Management Plan for corrective actions to address the vulnerabilities is being prepared by the Department.

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Office of Congressional, Public
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Media Contact: Amber Jones/Chris Kielich
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Office of Environment, Safety
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BACKGROUND:

Highly enriched uranium is defined as uranium at least 20 percent of which is the fissile isotope, uranium 235 (U-235). The Department and its predecessors produced HEU for nuclear weapons and some reactor fuels through the enrichment of natural uranium beginning in the mid-1940s and ending in 1992.

Facilities used for manufacturing and processing HEU, most built in the 1940s and 1950s, contain significant quantities of the material in various forms. Much of the HEU is in containers or locations not designed for extended storage. Highly enriched uranium contamination of floors and walls and HEU entrained in processing equipment are common at many facilities. Buildings and equipment that are aging, poorly maintained, or of obsolete design contribute to the problem. Current activities in these facilities include the temporary storage, shipping, receiving, and processing of HEU. Processing activities include the recovery of HEU from solutions, scraps, and residues; the manufacture and storage of HEU reactor fuel; and cleanup in preparation for decontamination and decommissioning.

The assessment featured a working group process that involved over 300 people, including Federal staff, site operating contractors, nationally recognized experts, consultants, external stakeholders representing public interest groups, and State, Federal, and international regulatory and advisory organizations.

A companion report is being prepared by the Department of Energy to present a complete picture of the Government's production, acquisition, use, disposition and inventories of highly enriched uranium from 1945 through 1996.

BENEFITS :

- The HEU and the previous spent nuclear fuel, hazardous chemical and plutonium studies are valuable resources to line managers in the Department. The vulnerability assessments help managers target effectively the greatest risks and act to ensure that resources are available to address those risks.
- DOE's progress in identifying these vulnerabilities is a measure of its ability to define and monitor adequate safety performance. The assessments are thoroughly documented and establish a baseline for program monitoring.
- Data will aid regulators who oversee environmental, health and safety activities.
- The Working Group process recommended by the Secretary that was used in the assessments combined the resources of DOE field and Headquarters staff. This process has helped in achieving thoroughness, independence, efficiency, consistency, openness, consensus, and ownership of results.

WHO ARE THE KEY STAKEHOLDERS?:

Participation of stakeholders from the very beginning was an integral part of the assessment process. They were invited to attend the assessment's major meetings to establish the plan and evaluate the results. Public meetings were held locally at the relevant sites. There has been local press coverage of the results at each major site. The key stakeholders of this assessment are **the Congress; Government organizations, such as the Environmental Protection Agency and the Nuclear Regulatory**

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Commission; news media organizations; local and state government agencies; national and local public interest organizations; and international organizations, such as the International Atomic Energy Agency.

QUESTIONS AND ANSWERS

Q. What does the Highly Enriched Uranium Working Group Report contain?

A. The Highly Enriched Uranium Working Group Report consists of 3 volumes. Volume I contains a summary of the assessment process and results. Volume II contains detailed site specific assessments. There are 12 parts of this volume, one for each site (including a part for all sites with small HEU holdings. See Attachment). Volume III contains the process and protocols used in the assessment.

Q. How do I get a copy of the report?

A. Copies of the complete report or any part of it (Volume I, II, or III) can be obtained by calling: (301) 916-0193. It should be noted that Volume I contains about 110 pages, while Volume II, with its 12 parts, contains about 5500 pages and Volume III contains about 600 pages. Reports will be ready for distribution by February 15, 1997.

Q. What is an "environmental, safety and health vulnerability"?

A. Vulnerabilities can be viewed as potential breaks in barriers that protect the worker, the public, or the environment, and are of the following types:

Facility Condition Vulnerability - deficiency or degradation of facility physical barriers such as the building structure, equipment, or systems important to safety or environmental protection.

Material/Packaging Vulnerability - deficiency or degradation of the package or container for the material due to aging, corrosion, radiolytic damage, or location.

Institutional Vulnerability - breakdown in management systems or administrative controls used to ensure safety or environmental protection (e.g., radiological protection program, facility operational safety requirements, or training program).

(HEU Site Map Not Available Online)

NUCLEAR WEAPONS PRODUCTION AND THE ENVIRONMENT

The Department of Energy is publicly releasing a report, entitled *"Linking Legacies: Connecting the Cold War Nuclear Weapons Production Processes to Their Environmental Consequences"*. This report presents the first analysis that interprets historical records and institutional knowledge to link environmental impacts with specific weapons production processes. It also presents a picture of the environmental impacts of each step of the nuclear weapons production and disposition cycle. In addition, this report provides information on the missions and functions of nuclear weapons facilities, on the inventories of wastes and materials at these facilities, as well as on the extent and character of contamination on and around the sites.

SPECIFICALLY :

Linking Legacies: Connecting the Cold War Nuclear Weapons Production Processes to Their Environmental Consequences describes the wastes, contamination, surplus facilities and materials in inventory being managed by the Department of Energy. Central to the report is an analysis linking this environmental legacy to one of eight nuclear weapons production processes, the Naval nuclear propulsion program, or other DOE activities.

- The eight nuclear weapons production processes are (1) mining, milling, and refining of uranium; (2) isotope separation; (3) reactor fuel and target fabrication; (4) nuclear reactor operations; (5) chemical separations and nuclear material recycling; (6) nuclear weapons component fabrication; (7) weapon operations, i.e., assembly, disassembly, maintenance, and modification; and (8) research, development, and testing.
- *Linking Legacies* developed information revealing that nuclear weapons production resulted in 70 percent of the Department's radioactive waste; 83 percent of the environmental contamination at DOE sites; 75 percent of the Department's surplus facilities; and 50 percent of the Department's nuclear materials in inventory.
- The production of nuclear materials—particularly weapons-grade plutonium—for the nuclear weapons complex is the major source of the Department of Energy's environmental legacy.
- Many approximations and assumptions were necessary to arrive at the conclusions presented in the report. Although they are only estimates, the Department believes them to be accurate to within a few percent. Quantities listed are based on the available records, some of which are very old. The quantities may be updated after re-evaluation of the original records.
- *Linking Legacies* includes an appendix that recounts the history of the nuclear weapons production activities by individual sites and the environmental legacy at each site.

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BACKGROUND :

- *Linking Legacies* was prepared in response to section 3154 of the National Defense Authorization Act for Fiscal Year 1995, which required the Department to produce "a report that contains a description of all waste streams generated before 1992 during each step of the complete cycle of production and disposition of nuclear weapons components by the Department of Energy."
- Based on further discussions with Congressional staff, to be comprehensive, this mandate was clarified to require that the scope include not only "wastes" as they are legally and technically defined (e.g., 40 CFR 261 et seq.), but also environmental contamination, surplus facilities, and materials in inventory.

BENEFITS :

- By completing this study, DOE is providing the information requested by Congress.
- As part of its Openness Initiative, the Department of Energy is releasing information concerning the relationship of individual nuclear-weapon related production processes to their environmental consequences. Release of this information promotes Government accountability and trust in Government by the public.
- The report clarifies the sources of the Department's environmental legacy.
- The report provides additional information to encourage informed public debate over the management of the environmental legacy and the stockpile stewardship program.

- Information released may aid regulators who oversee environmental, health, and safety activities.
- The report's analysis will be useful for the Department of Energy's pollution prevention efforts as it reconfigures the nuclear weapons complex under the stockpile stewardship program.
- Release of this information should encourage other nations to declassify similar information. By release of this information, the United States Government is acting as a responsible global leader in disseminating nuclear information.

WHO ARE KEY STAKEHOLDERS? :

Among the key stakeholders are **concerned citizens site-specific boards**, who will now be able to obtain a comprehensive picture of the environmental results of the Cold War nuclear arms race in the United States and an understanding of the need to spend tax dollars on addressing this legacy. In addition, **local residents, county and state regulators, and environmental groups** will be better equipped to assess the impact of the nuclear weapons facilities.

QUESTIONS AND ANSWERS

Q. How can I receive a copy of the report?

A. Copies of the report may be obtained from the DOE Environmental Management Information Center by calling **1-(800) 736-3282**.

Q. What information does this report contain that is not already available?

A. The report contains the first comprehensive analysis explicitly linking wastes, contamination, surplus facilities, and materials in inventory to the nuclear weapons production processes and non-weapons activities generating them. In addition, the Department has never before published a comprehensive analysis of environmental contamination or surplus facilities. However, the data on waste and materials in inventory presented in the report are available from published DOE documents.

Q. The Congressional language mentions only "waste streams." Why does the report cover environmental contamination, surplus facilities, and materials in inventory?

A. *Linking Legacies* was prepared in response to section 3154 of the National Defense Authorization Act for Fiscal Year 1995, which required the Department to produce "a report that contains a description of all waste streams generated before 1992 during each step of the complete cycle of production and disposition of nuclear weapons components by the Department of Energy." Based on further discussions with Congressional staff, this mandate was clarified to include not only "wastes" as they are legally and technically defined (e.g., 40 CFR 261 et seq.), but also environmental contamination, surplus facilities, and materials in inventory. As such, the report, *Linking Legacies*, contains a comprehensive discussion of the nature and magnitude of the Department of Energy's environmental legacy.

Q. What did the Department learn from this analysis and how will it help clean up the environment or save money?

A. *Linking Legacies* is the Department's first comprehensive analysis of sources of wastes and contamination generated by the production of nuclear weapons; it can help identify opportunities and set priorities for preventing pollution in the future. The report is based on the most current data available, and provides information on the characteristics, location and quantity of the Department's environmental legacy resulting from its production of nuclear weapons. The results of this analysis indicate that one operation accounts for more waste and contamination than any of the other seven steps in the nuclear weapons production process: chemical separations, which involves dissolving spent nuclear fuel rods and targets in acid and separating the plutonium and uranium using a chemical process. Wastes generated by the chemical separations processes accounted for more than 85 percent of the radiological effluents generated in the nuclear weapons production process. In addition, chemical separations

generated 71 percent of the contaminated groundwater and 33 percent of the contaminated solids (soil, rubble, debris, sludge, etc.). Finally, 24 percent of the contaminated surplus facilities for which the Department is responsible were attributable to chemical separation operations. Recently, these chemical separation operations have been used at the Savannah River Site in South Carolina to stabilize spent fuel and other materials. However, environmental concerns, which have now been quantified in this report, are among the reasons the Department has begun developing alternatives to traditional chemical separation technologies to stabilize spent fuel and targets for long-term safe storage and permanent disposal. Initial results indicate that substantial safety and cost benefits can result from using these alternative technologies.

By making this information available and acting on it, the United States can help lead other nations in using alternative technologies to stabilize irradiated materials, which can help improve nuclear safety, save money, and promote nuclear nonproliferation.

MORE U.S. NUCLEAR TESTS LEAKED RADIOLOGICAL EFFLUENTS THAN WERE PREVIOUSLY ANNOUNCED

The Department of Energy is today releasing a report to provide the public with additional information on releases to the atmosphere of radiological effluents associated with the prior United States continental underground nuclear testing program. The report is titled Radiological Effluents Released from United States Continental Tests, 1961 through 1992 (DOE/NV-317 [Rev.1]). In December 1993 and June 1994, the Department declassified information related to 204 previously unannounced tests and simultaneous detonations. Of these newly declassified tests, 93 were determined to have only on-site radiological effluent releases. The Department is releasing information on 13 additional nuclear weapons tests declassified prior to 1993 which were only recently determined to have leaked radiological effluents. These latter releases were also contained within the boundaries of the test site and pose no health or safety risk to the public.

In summary, today the Department completes the picture by providing in the above referenced document a comprehensive update of the effluents from underground tests by releasing the onsite radiological effluents (such as the isotopes of Xenon) for the 93 and for the 13 nuclear tests. This includes both the effluents from the initial tests as well as effluents resulting from later samplings.

The report:

- Informs the public of an additional 13 previously disclosed nuclear tests. **After further review, it was determined that these tests *did* release radiological effluents into the atmosphere.**

Kasseri (.024 curies)	10/28/75	Tafi (.0016 curies)	07/25/80
Colby (44 curies)	03/14/76	Tilci (.003 curies)	11/11/81
Farm (.003 curies)	12/16/78	Akavi (.00046 curies)	12/03/81
Burzet (.03 curies)	08/03/79	Roquefort (.027 curies)	10/16/85
Nessel (.023 curies)	08/29/79	Comstock (.0043 curies)	06/02/88
Colwick (.0075 curies)	04/26/80	Misty Echo (6.7 curies)	12/10/88
Kash (.00024 curies)	06/12/80		

- Withdraws one test that was included in the initial report of May 1990. Upon further review, it was determined that this test *did not* emit radiological effluents into the atmosphere. Previous information indicated that the release from this test was slight.

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- Can be accessed through the DOE Nevada Home Page at the following World Wide Web address:
<http://www.nv.doe.gov>

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BACKGROUND :

- Prior to 1961, the United States conducted almost all of its continental tests in the atmosphere and, therefore, all effluents from the tests were released to the atmosphere.
- During the period of nuclear testing before the Limited Test Ban Treaty (LTBT) was signed (from September 15, 1961 to August 5, 1963), no specific test containment design criteria existed. Therefore, while radiological releases from underground tests conducted during this period were not always expected, any effluents released that did occur were not considered accidental, or even unexpected.
- After the LTBT was signed in 1963, the U.S. and U.S.S.R. agreed not to test above ground and not to release effluents outside their respective borders. During the late 1970s and early 1980s, an attempt was made to identify all underground nuclear tests that released radiological effluents detected off the Nevada Test Site and the Nellis Air Force Range. This information was published by the Environmental Protection Agency as "Summary Information on Accidental Releases of Radioactivity to the Atmosphere from Underground Nuclear Detonations Designed for Containment" (WASH-1883). As a result of this initiative, the SNUBBER test (4/21/70) was announced and included in WASH-1883. At a later time, the FENTON test (4/23/66) was recognized to have an offsite release and that release was promptly reported.
- In May 1990, the United States Department of Energy published the initial report, Radiological Effluents Released from Announced United States Continental Tests, 1961 through 1988 (DOE/NV-317). The purpose of the report was to inform the public of all announced United States underground nuclear tests since 1961 that released radiological effluents into the atmosphere. At that time, not all underground nuclear tests and simultaneous detonations had been declassified; therefore, the onsite release data could not be published and made publicly available.
- In December 1993, the Secretary of Energy declassified information related to 204 previously unannounced nuclear tests and simultaneous detonations. This declassification action provided the opportunity to release information on onsite radiological releases for those formerly unannounced tests.
- NV-317 was compiled from the best information currently available. It has been reviewed by health and safety personnel from the DOE Nevada Operations Office, the national laboratories, the Environmental Protection Agency and the Defense Special Weapons Agency. There are discrepancies between information compiled at different times by different individuals in estimating the magnitude of the radiological releases, reporting yields and yield ranges, and detecting effluents at offsite locations. Source documents vary, and therefore, some data found in this report may not agree with other DOE-published test data. This report represents the consensus of opinion of the subject matter experts from the above-mentioned organizations.

BENEFITS:

- As part of its Openness Initiative, the Department of Energy is releasing additional information regarding emission of radiological effluents from prior nuclear testing

activities. Release of this information promotes Government accountability and trust in the Government by the public.

- The general public will have additional information regarding atmospheric releases of radiological effluents associated with the United States underground nuclear testing program. This information will facilitate public debate and understanding of the U.S. nuclear weapons program.
- This report complements the data contained in DOE/NV-209, United States Nuclear Tests, July 1945 through September 1992, dated December 1994 by providing details of the effluents released.
- Release of this additional information:
 - Demonstrates that DOE is following its principal test for classification that if there is no clearly identifiable national security link, information should be unclassified.
 - Will be of aid to regulators who oversee environmental, health, and safety activities.
 - Sets an example which may encourage other nations to release similar information.
 - Demonstrates that the United States Government is acting as a responsible global leader in nuclear information transparency.

WHO ARE THE STAKEHOLDERS:

Among the key stakeholders are **the general public, the technical community, the Site-Specific Advisory Board, citizens living near the test site, the Nevada government, and Native American governments.** These groups will now be able to obtain a comprehensive picture of the effluents discharged into the atmosphere.

QUESTIONS AND ANSWERS

Q. How can I receive a copy of the report?

A. Copies of the report can be obtained from:

National Technical Information Service
U. S. Department of Commerce
5285 Port Royal Road
Springfield, VA 22161

Q. What has changed from the last issue of DOE/NV-317?

A. The last issue of DOE/NV-317 was published in May 1990. Information in that report included radiological effluent release data from United States continental nuclear tests that were conducted from 1961 through 1988. However, since the last publication:

- Thirty-five nuclear tests were conducted from 1989 through 1992. Fourteen of these tests had onsite, operational radiological effluent releases. This data is contained in this report.
- The Secretary of Energy declassified information related to previously unannounced nuclear tests and simultaneous detonations occurring between 1963 and 1992. A total of 93 of these tests had onsite, operational radiological effluent releases. This data is contained in this report.
- Thirteen previously announced nuclear tests, not included in the May 1990 report, have now been determined, upon further review of the test data, to have emitted radiological effluents into the atmosphere. This data is contained in this report.

Kasseri	10/28/75	Tafi	07/25/80
Colby	03/14/76	Tilci	11/11/81
Farm	12/16/78	Akavi	12/03/81
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Nessel	08/29/79	Comstock	06/02/88
Colwick	04/26/80	Misty Echo	12/10/88
Kash	06/12/80		

- One nuclear test that was reported in the May 1990 report as emitting effluents into the atmosphere was removed. Upon further review of the test data, it has been determined that this test did not emit effluents.

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Q. What kind of "effluents" are we talking about?

A. The radiological effluents measured and reported in DOE/NV-317 are those gases and debris which can be detected by surface and aerial monitoring instruments. This does not include migration of sub-surface detonation products.

Q. Does this report include releases not previously disclosed to the public?

A. Yes, it includes additional details on announced and unannounced tests and simultaneous detonations that had only onsite radiological effluent releases. Consistent with DOE's classification policy, any test that resulted in offsite releases was declassified and publicly announced at the time of that release.

Q. Are any new offsite releases disclosed?

A. No. All offsite radiological effluent releases were reported previously in WASH-1883, except for the FENTON test which was reported as soon as the offsite release was recognized and included in the first publication of NV-317. Prior to WASH-1883, not all offsite releases were reported to the public.

Q. Why were these releases not disclosed previously?

A. The 13 additional previously disclosed tests were determined, after further review of the data, to have released effluents. It was also discovered that, after further review of the data, one test previously listed in the May 1990 report as emitting effluents did not emit effluents and was removed from this report.

It is possible that new information will come to light that will revise the contents of this report. As this information is obtained, it will be made public and added to NV-317.

Q. Was the public at risk from any of the undisclosed releases?

A. No. The undisclosed radiological effluent releases were onsite releases only. Thus, the release of radiological effluents into the atmosphere was contained within the boundaries of the Nevada Test Site and the adjacent Government-controlled Nellis Air Force Range.

Q. Are there any releases that remain undisclosed?

A. No. It should be noted that a change in definition of what a release is, or discovery of previously unknown releases, or an update in monitoring technology may change the reported

information.

For example, migration of gasses from the detonation cavity to the surface over time is an expected phenomenon and was seldom measured or detected. Variations of krypton-85 in regions of nuclear tests may or may not be attributable to the nuclear detonation in the locality. Releases of this type were usually not detected and were not included in NV-317.

Q. Were there changes in the quality of detection capability in measuring effluent releases over the years?

A. Yes. In early years, many effluent releases that may have occurred were not reported because the instruments in use at the time did not detect the releases. As instrumentation improved over time, the ability to detect smaller releases increased and these releases were subsequently reported. For example, the RIOLA test (9/25/80), which was detected offsite, may not have been detected as a release in earlier years.

Q. What is the total number of effluent releases?

A. From September 15, 1961 - September 23, 1992, 824 United States continental nuclear tests were conducted; 433 emitted radiological effluents into the atmosphere: 381 - onsite and 52 - offsite.

Q. How many were planned or expected? (As opposed to ventings and other unexplained releases?)

A. In 1963, after the LTBT was signed and design criteria had been formally established, all tests (except four Plowshare cratering tests) were designed to be completely contained underground. From August 5, 1963 - September 23, 1992, 723 were conducted, of which the following occurred:

322	containments, no post-shot radiological effluent releases (44.5%)
105	containment failures (14.6%)
287	postshot radiological effluent releases (operational releases) (39.7%)
4	plowshare/cratering (.6%)
5	late-time seepage (.6%)

Post-shot radiological effluent releases are categorized as "operational" releases, which can be identified as:

Controlled Release - usually planned, filtered. This type of release was passed through a high efficiency, particulate air filter and charcoal filter combination where most particulates were removed from the escaping gases before these gases were vented into the atmosphere.

Drillback Release - occurred during postshot drilling operations to recover samples; these releases were either filtered or unfiltered.

Cementback Release - occurred where the drill hole was sealed with a plug and cemented to the surface.

Gas Sampling Release - occurred during gas sampling operations. In most instances, these were controlled and filtered releases occurring when a determination had been made to reduce the volume of gas accumulated in a sampling tank.

Containment Failure or "Test Release" - has been defined as spontaneous release that occurred after a test but before postshot drilling operations began.

Late Time Seepage Release - A slow release of gases from test detonation sites, that could exist from a few hours to even weeks after all other operations in the area have ceased (as defined for the purpose of this report). Following the TIERRA test (12/15/84), special noble gas monitoring samplers were fielded on certain tests where late seepage was expected and releases which occurred were subsequently reported.

Q. Since the report is titled "Radiological Effluents Released from United States Continental Tests," is there radiological effluent release data from the nuclear tests that were conducted in Amchitka, Alaska?

A. Review of the test data from the nuclear tests conducted in Amchitka, Alaska (Long Shot 10/29/65, Milrow 10/02/69, and Cannikin 11/06/71) indicates that there were no radiological effluents released as defined in the test containment design criteria. However, the Department of Energy is currently planning a more extensive sampling and monitoring program beginning in FY-1997 to evaluate a Greenpeace report published in October 1996 alleging that plutonium and americium are being released from the Cannikin test site.

In addition, the Environmental Protection Agency's Office of Radiation will analyze samples from Greenpeace. Isotope fingerprint analysis will be done of the transuranic material since it may indicate whether it came from a detonated nuclear device, from global fallout, or from nuclear fuel processing. A technical advisory board, including representation from Greenpeace, is being formed for Departmental activities concerning Amchitka. Some recently disclosed documentation may indicate a release of krypton-85 from the LONG SHOT and CANNIKIN tests. This information is not currently found in NV-317 because the data were not available for review by the technical experts during the preparation of this report. There may still be other information of a similar nature which has not been included in this report.

Q. In the Department's previous statements in 1993 and 1994, it was announced that 37 tests released radiological effluents. Now it is announced that 93 tests released radiological effluents. Can you explain these statements?

A. Thirty-seven tests emitted radiological onsite-only effluents upon detonation. Following tests, post shot operations are conducted which may also release effluents. The 93 tests include those which released effluents upon detonation and those which released effluents during post shot operations.

RUSSIAN MINISTER MIKHAILOV RESPONDS TO SECRETARY O'LEARY'S OPENNESS CHALLENGE

The Department of Energy (DOE) is releasing a report today on "U.S.S.R. Nuclear Weapons Tests and Peaceful Nuclear Explosions - 1949 through 1990". The Department of Energy received the report from the Ministry of the Russian Federation for Atomic Energy, the Russian equivalent of the U.S. Department of Energy. Minister V.N. Mikhailov, in the publication's Foreword, states, **"This book presents official factual data on the general characteristics of all nuclear tests and all peaceful nuclear explosions conducted by the U.S.S.R."** The report was given to U.S. Energy Secretary Hazel O'Leary by Mikhailov when she was in Moscow. She hailed the release as a major step in achieving "transparency" in matters of nuclear weapon technology. The report is similar to the U.S. report, "United States Nuclear Tests July 1945 through September 1992", DOE/NV-209 (Rev.14), December 1994. More than 18 months ago, O'Leary had challenged Mikhailov to release similar data about the Soviet test program. In the U.S.S.R. report, Mikhailov, citing the U.S. publication, observed, **"Availability of these two symmetric publications gives an opportunity to conduct fairly concrete and informative comparison of nuclear testing programs performed in the U.S.S.R. and the USA"**.

In the fall of 1958 both nations entered a testing moratorium unilaterally, the U.S. on November 1

and the U.S.S.R. on November 4. Neither nation conducted tests in 1959 or 1960. However, on September 1, 1961, the U.S.S.R. unexpectedly resumed its testing program. The U.S. hurriedly followed suit two weeks later. The U.S.S.R. again suspended testing on December 26, 1962, having conducted 138 tests in 16 months. During this same period the U.S. conducted 108 tests. The U.S.S.R. conducted no tests in 1963 and only 9 in 1964, while the U.S. conducted 92 during this time. On August 5, 1963 the United States and the Soviet Union signed the Limited Test Ban Treaty which effectively banned testing of nuclear weapons in the atmosphere, the oceans, and space. When the Treaty became effective, the U.S. had conducted 331 tests, the U.S.S.R. 221. The U.S.S.R. conducted its 715th and last nuclear test on October 24, 1990. The 1,054th and last U.S. test, named Divider, took place on September 23, 1992.

Below is a tabulation of the comparison made in the publication of the number of nuclear weapon tests and peaceful nuclear explosions conducted by each nation and the number of individual detonations involved. Both nations define an atmospheric nuclear weapon test as consisting of a single nuclear explosion or detonation. For underground tests both nations use the Threshold Test Ban Treaty definition of a test as either a single underground explosion conducted at a test site, or two or more underground nuclear explosions conducted within an area delineated by a circle having a diameter of two kilometers and conducted within a total period of time not to exceed 0.1 second. The term "detonation", used by the U.S., and "nuclear charges" and "exploded nuclear devices", used in the Russian document, refer to the individual nuclear explosions that comprised the underground tests, some of which had more than one.

	Total Nuclear Tests Including Peaceful Nuclear Explosions		Peaceful Nuclear Explosions Program	
	Tests	Detonations	Tests	Detonations
Former U.S.S.R.	715	969	124	135
USA	1,032*	1,127*	27	35
US/UK	24	24	--	--

* These numbers from the Russian report include the two combat uses of nuclear weapons over Japan in World War II. The United States does not consider these "tests".

Secretary O'Leary said she hoped that this action on the part of Russia is only the first in response to the Department's continuing campaign of openness concerning its nuclear weapons program. The soon to be released DOE report on the Fundamental Review of Classification Policy should encourage a similar review on Moscow's part. Further lessening of the nuclear secretiveness so characteristic of the cold war era is needed to ensure mutual trust and promote peace.

The former U.S.S.R. nuclear weapons testing report was also provided by the Russians to the Defense Special Weapons Agency (DSWA) which, with the cooperation of the Russians, has been studying the history of the former U.S.S.R. nuclear weapons program. Previously reported was a large report on the history of the former U.S.S.R. nuclear weapons program prepared by the Russians and provided to DSWA A.

SPECIFICALLY :

The Russian publication consists of 5 parts:

1. Categorization of Soviet Nuclear Tests and Peaceful Nuclear Explosions:
Definitions of type, purpose, and yield ranges are given.
2. Soviet Nuclear Weapons Tests and Peaceful Nuclear Explosions (Summary Table):
This section includes number of tests conducted each year, total number of tests conducted at each test location, total number of tests conducted by type, and total number of tests and individual detonations conducted by purpose.
3. U.S.S.R. Nuclear Tests and Peaceful Nuclear Explosions (1949-1990)

This is the main body of the report. In it are listed all tests and the individual detonations that made up a single test, if appropriate, together with the test number, date of test, location, type of test, test purpose, yield range, and comments when appropriate.

4. U.S.S.R. Peaceful Nuclear Explosions (Employment of Nuclear Explosive Technologies in the Interest of National Economy):
Listed separately are those tests that were employed in peaceful activities. Each peaceful test is listed sequentially by date and is also identified with the number assigned to it in Section 3 which includes both weapons tests and peaceful uses tests. Location, type, yield range, and comments, when appropriate, are included.
5. Total Energy Release of the U.S.S.R. Nuclear Tests and Nuclear Explosions for Peaceful Purposes:
Total energy in kilotons of TNT equivalent released in nuclear tests during each year at each of the Soviet test locations is presented as well as the summation over the years 1949-1962, 1964-1975, and 1976-1990, respectively. The report states that total energy released in all Soviet tests was 285.4 megatons, 247.2 of which occurred between 1949 and 1962.

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BACKGROUND :

- In December 1993, DOE announced the declassification of the dates for 204 previously unannounced nuclear tests, which were all conducted at the Nevada Test Site. This brought to 1,054 the number of tests conducted worldwide by the United States, 24 of which were for the United Kingdom at the Nevada Test Site and 2 combat uses of nuclear weapons over Japan in World War II.
- Also at that time DOE announced the declassification of all pre-1961 Pacific nuclear test yields.
- Since then, the yields of all atmospheric tests have been declassified. As promised by the Secretary, specific yields, number of devices, etc. "will be reviewed for future release." That review did take place and is continuing. The total number of U.S. detonations, including the 24 U.K. detonations, is 1,149, excluding the combat use of nuclear weapons over Japan in World War II which are not considered by the U.S. to be tests.
- DOE's aggressive declassification program and the Fundamental Classification Policy Review may result in a quid pro quo from the Russians.
- Quantities listed are based on the evaluation of available records. Quantities may be updated after reevaluation of the original records.
- Also in December 1993, a benefit cited for declassifying the 204 unannounced tests was that "release of this information should also encourage other nuclear weapon nations to declassify similar information." This Russian report is validation of that premise. Release of this Russian information further bolsters the position of the United States as a global leader in nuclear transparency.

- Both the Russian and American public now have access to a broad range of data related to the Russian and American nuclear test programs from which they can, to paraphrase Mikhailov, conduct concrete and informative comparisons. The United States hopes that this release of information will encourage other nations to release similar information.
- This Russian action is a sign to both nuclear and non-nuclear nations that Russia is willing to deal openly with the difficult issues regarding nuclear weapon testing. An additional sign would be for Russia to announce the total mass of plutonium expended in its nuclear weapons tests, as has the U.S., namely, 3.4 metric tons.

WHO ARE THE KEY STAKEHOLDERS? :

- Historians and Researchers. Researchers have tried to infer the extent of the Soviet weapons and peaceful uses test programs with little hard data available, but now accurate data are available.
- Health Researchers. Russian and other investigators now have a good starting point for independent epidemiological and health studies involving possible radiation exposure to test site workers and the general public.
- Environmentalists. The data presented in the report can serve as a good starting point for radiation studies to determine the impact of the Soviet testing program on the environment.

QUESTIONS AND ANSWERS

Q. How do I get a copy of the U.S.S.R. report on nuclear tests?

A. The Department is putting the report on OpenNet today or a copy may be obtained by writing to:

U.S. Department of Energy
Nevada Operations Office
Public Affairs and Information Office
P.O. Box 98518
Las Vegas, NV 89193-8518

Q. The Russians have disclosed in this report the total nuclear yield of their tests by year and test site location. As far as I know, the U.S. has not done the same. Is the Department of Energy willing to answer in kind?

A. The DOE will give that serious consideration. However, care must be taken that in doing so, classified information is not disclosed.

HIGHLY ENRICHED URANIUM REPORT: THE FIRST FIFTY YEARS – A COMMITMENT

The Department of Energy is preparing a report to provide a complete picture of the Government's production, acquisition, use, disposition and inventories of highly enriched uranium from 1945 through 1996. The date for publication of the report is September 1997.

SPECIFICALLY:

The Department plans to verify and declassify the actual highly enriched uranium numbers following coordination with the affected agencies and other involved countries. This information will then be released to the public by a written report in a format similar to the plutonium report,

"Plutonium: The First 50 Years," which was released February 6, 1996. The report will provide information regarding uranium enriched in the isotope U-235 to a level of 20% or greater. Meetings with stakeholders indicate that release of this report is important to assist in providing international leadership for global nuclear nonproliferation by revealing where United States highly enriched uranium resides in other nations and to assist regulators in environmental, health, and safety matters at domestic sites where this material is stored or buried.

Efforts to prepare the highly enriched uranium report have been delayed by more than 6 months due to difficulties in locating, identifying, and accessing historical highly enriched uranium production and transaction data. As expected, analysis, verification, validation, and understandable presentation of this highly enriched uranium data are much more difficult and time consuming than previous efforts concerning plutonium. Complete release of the highly enriched uranium information will require several declassifications and coordination with other agencies and other countries. In addition, today the Department is releasing an assessment report on highly enriched uranium environmental, safety, and health vulnerabilities.

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BACKGROUND:

- Highly enriched uranium was produced to support the United States nuclear weapons, naval propulsion, nuclear energy, and reactor development programs from the mid-1940s through the early 1990s.
- There have been requests for this information to support environmental, health, and safety calculations for independent studies to determine radiation doses and environmental degradation.

BENEFITS :

- As part of the Secretary of Energy's Openness Initiative, the Department of Energy is committed to informing the public on information regarding the total figures for United States highly enriched uranium production, acquisition, and utilization.
- Release of this information will promote accountability and trust in the Government by the public. After the report is released, the American public will have information that is important to the current debate over proper management and ultimate disposition of highly enriched uranium.
- Release of this information will encourage informed public debate on nuclear management practices and will aid in discussions of highly enriched uranium storage, safety, and security with stakeholders, regulators, and the public.
- As was the case with the declassification and release of the United States nuclear weapons test data, this United States initiative on highly enriched uranium may encourage other nations to declassify and release similar information as well.
- Data will aid regulators who oversee environmental health and safety activities.
- By releasing this information, the United States Government is acting as a responsible global leader in nuclear information transparency.

WHO ARE THE KEY STAKEHOLDERS?:

This report will be of great assistance to State agencies, the Environmental Protection Agency, the public, and public interest organizations. It will assist greatly in public discussion of highly enriched uranium production, acquisition, and utilization. Other stakeholders include **environmental, safety, and health groups; historians; archivists; researchers; and scientists and industrial workers; as well as State and Federal personnel.** With the release of this report, those interested in oversight of highly enriched uranium- related activities will have additional information regarding highly enriched uranium production, acquisition, and utilization.

QUESTIONS AND ANSWERS

Q. Why does it take so long to prepare the report?

A. It is taking considerable time to locate, identify, and access the huge quantity of highly enriched uranium data which includes production, blending, shipment, etc. Further, analysis, verification, and validation of this data are taking considerable effort.

Q. What declassifications will be required to release all of the highly enriched uranium information?

A. At this time, the following areas have been identified as areas where declassification would be necessary: amounts of highly enriched uranium in the annual inventories that were designated as "War Reserve" and expended in nuclear tests; the burnup levels of naval nuclear propulsion fuel; amounts transferred to and from the U.S. under mutual defense agreements; amounts of highly enriched uranium contained in lost nuclear weapons, nuclear weapons accidents and in reactors and weapons that were onboard submarines or other vessels lost at sea; and the inventories and assays of uranium in stockpiled weapons at Pantex.

Q. Will the Department of Energy need to coordinate with other agencies and countries?

A. Yes, the Department will need to coordinate with the Department of State regarding international transactions and the Department of Defense regarding military utilization. In addition, the Department will need to coordinate with many nations to verify international transaction data.

OPENNESS: THE WAY TO DO BUSINESS

DEPARTMENT OF ENERGY BEATS PRESIDENT CLINTON'S OPENNESS GOAL BY 25 PERCENT

The Secretary of Energy announced today that the Department has surpassed by 25 percent the President's goal of declassifying 1.5 million pages of National Security Information (NSI), as required by Executive Order (E.O.) 12958, for Fiscal Year 1996. The E.O. (which was signed by President Clinton on April 17, 1995) prescribes a uniform system for classifying, safeguarding, and declassifying NSI. This also meets the commitment by the Secretary of Energy to President Clinton regarding the Openness in Government initiative. Furthermore, for the **third year in a row, old Department of Energy document collections are now being declassified faster than new classified documents are being created.**

SPECIFICALLY :

- The Department declassified collections containing approximately 1.9 million pages (760 linear feet), exceeding the 1.5 million page requirement in FY 1996 by 25 percent.

- The total number of pages reviewed and declassified or confirmed to be unclassified in FY 1996 amounted to about 3.5 million pages (1,400 linear feet).
- Since inception of the Openness Initiative in December 1993, approximately 11 million pages of Department of Energy records have been reviewed and declassified or confirmed to be unclassified. (This 11 million classified pages is equivalent to the height of eight Washington Monuments.)
- The Information Security Oversight Office recently recognized the Department of Energy as "among the several agencies who have been most successful to date in meeting the goals of this new Presidential Order . . . the Department of Energy's achievement in declassifying NSI merits even greater praise because of its ongoing priority program to review and declassify Restricted Data and Formerly Restricted Data . . .", i.e., the information on nuclear weapons development and utilization which is the purpose of the Department of Energy's declassification reviews.

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BACKGROUND :

Although no formal survey has been conducted, the Department has an estimated inventory of 280 million pages in classified collections. Most classified Department of Energy records contain Restricted Data (nuclear weapons-related information) and are not covered by E.O. 12958. Therefore, such records are not subject to E.O. declassification requirements. The estimated NSI inventory of documents of permanent historical value which are over 25 years old is 10.5 million pages. This estimate will increase if DOE's archivists and records managers determine more documents to be of permanent historical value. Regardless, consistent with the spirit of the E.O., which focuses on making available all 25-year-old or older NSI documents of permanent historical value, a more responsive review alternative was developed. On May 15, 1996, the Secretary of Energy proposed to Dr. Anthony Lake, the National Security Advisor to the President, that the Department of Energy Restricted Data records, which have been deemed to be the most valuable to our stakeholders, would be reviewed for declassification at the same time as the NSI records under E.O. 12958.

The purpose of this extra effort above the E.O. requirements was to provide more complete information to the American people regarding post World War II and Cold War nuclear activities and policies, thus satisfying the needs of many citizens, including eminent historians and archivists. These documents have been designated by the United States Archivist to be of permanent historical value. They date from approximately 1942 to 1974 and cover several important areas of interest including:

- Atomic Energy Commission (AEC) Secretariat Files (1958-1974);
- Nuclear Weapons Radioactivity Fallout Monitoring Studies;
- Formation of the International Atomic Energy Agency (1954-1957);
- General Correspondence (1946-1958); and
- AEC General Managers' Reading Files.

As a result of this program, many of these documents are now available from the National Archives and Records Administration and can be located on OpenNet which is located on the Internet at:

<http://www.doe.gov/html/osti/opennet/opennet1.html>

or

<http://www.doe.gov/> and selecting the OpenNet icon.

Since the beginning of the Openness Initiative, the Department has made significant progress in the declassification of information with the resulting release of many documents. There have been three major declassification announcements since December 1993, which resulted in the release of many records including the following:

- The total megatonnage of the nuclear weapons stockpile, number of weapons built each year for retired systems, and retirements from 1945 to 1989.
- The total number of tests conducted at the Nevada Test Site, including all previously unannounced tests.
- Total information on the fires involving nuclear weapons materials at the Rocky Flats site near Denver, Colorado.
- United States production, acquisition, and utilization of plutonium from the beginning of weapons production activities.

The generation of newly classified documents has decreased significantly in recent years due to updated classification guidance reflecting declassification actions taken during the last 4 years, and the changing nature of the nuclear weapons complex (see Attachment 1).

For the third year in a row, old Department of Energy classified document collections are being declassified faster than new classified documents are being generated (see Attachment 2) which results from more emphasis on declassification and updating classification guidance. The quantities listed are based on available records and may be updated on reevaluation.

BENEFITS :

- As part of its Openness Initiative, the Department is declassifying millions of pages of documents. Declassification of the information promotes Government accountability and trust in the Government by the public.
- Release of the documents provides additional information to encourage informed debates on nuclear materials management including safety, security, storage, and accountability.
- Declassification of documents assists historians and archivists to prepare an accurate history of post World War II policies and activities.
- Release of declassified documents should encourage other nations to declassify similarly.
- Declassified documents will aid regulators who oversee environmental, health, and safety activities.
- Release of declassified documents permits more environmental information to be provided to stakeholders such as residents near Department of Energy sites.
- By declassification, the United States Government is acting as a responsible global leader in nuclear information transparency.

WHO ARE THE KEY STAKEHOLDERS?:

As a result of the Openness Initiative, the **American public, educational institutions, historians, archivists, researchers, environmentalists, authors, media organizations, public interest organizations, and local and state government agencies** will gain more confidence in the Federal Government. The Government's continued release of previously classified information in formerly sensitive areas also encourages more openness in other governments, as shown by the recent Russian announcements on nuclear testing.

QUESTIONS AND ANSWERS

Q. Will each Department of Energy site have a list of declassified documents?

A. Yes. Each site conducting a declassification review will be required to maintain a list of the documents reviewed and declassified at that site. In addition, this information is being placed on the OpenNet.

Q. How do I get access to the declassified historical documents at the National Archives?

A. Write or Call:

Marjorie Ciarlante
Archivist, Textual Reference Branch (NN-R2)
Room 2600
National Archives at College Park
8601 Adelphi Road
College Park, Maryland 20740-6001
(301) 713-7250

Q. What types of information are contained in the declassified documents which will be released and how are they beneficial?

A. The declassified documents are expected to be very valuable to historians, archivists, and citizens in providing information regarding U.S. energy policies related to foreign nations since World War II, international arrangements for basing the U.S. nuclear deterrent abroad, policies and support for peaceful nuclear energy development, peaceful uses of atomic explosives in the Plowshare Program, policies regarding nuclear testing, and development of the nuclear weapons program since World War II.

Q. Can the Department of Energy estimate the number of documents of permanent historical value containing National Security Information under the Executive Order?

A. Today's estimated inventory of documents of permanent historical value containing NSI which are over 25 years old is 10.5 million pages. The current estimate is that approximately 75 percent (8 million pages) of the documents containing National Security Information will be declassified over the 5 year period required by the Executive Order, i.e., FY 1996-2000.

Q. Why is there a need to review documents 25 years old or older before making them available to the public under the new Executive Order?

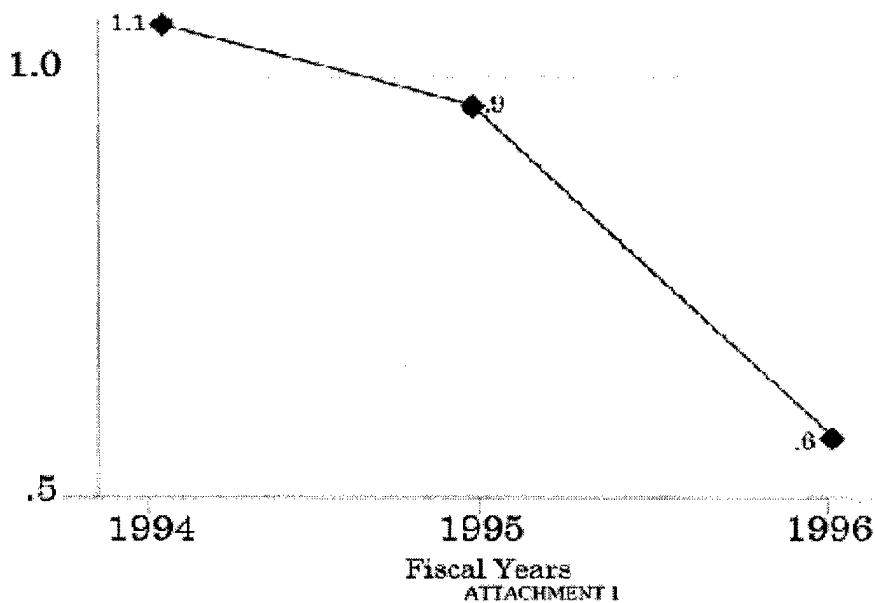
A. Reviews are necessary to make sure that the public is served to the fullest without compromising national security. For national security and non-proliferation reasons, such as protecting information about nuclear materials locations, some information requires continued classification in accordance with treaties and regulations.

Q. How much was spent in meeting the Executive Order's declassification requirement for FY 1996? What does this cost per page?

A. The Department spent approximately \$1.9 million in FY 1996 to meet the Executive Order's declassification requirement. It amounted to about \$1 per page. Since this was a new effort, the costs include about \$0.5 million for training new personnel. We expect these costs to drop when efforts bear fruit to develop and apply technology designed to increase declassification productivity.

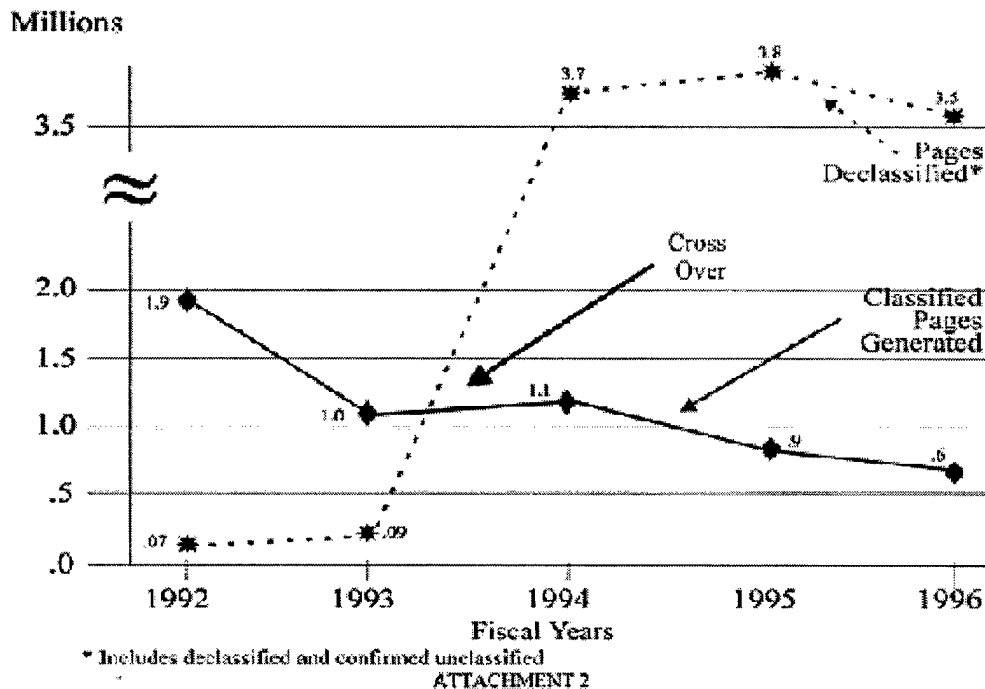
Significant Reduction in Generation of Classified Documents

Millions of Pages



We are moving in the right direction...

Third year in a row--more declassified than classified



RULES OF THE ROAD FOR RESPONSIBLE OPENNESS

The Department of Energy is publishing a proposed regulation (10 CFR Part 1045) for public comment in the Federal Register which also provides the framework for better classification management of nuclear-related information throughout the government. This is a significant event because it provides the public with the opportunity to comment on classification rules applying to government officials who will use them to protect the national security while maximizing openness during the course of their daily activities. The publication of the rule meets a commitment made by the Secretary in February 1996.

A public hearing on the proposed regulation will be held on February 26, 1997, at 9:00 a. m., at the Department of Energy, Forrestal Building, 1000 Independence Ave, SW., Washington, D.C.

SPECIFICALLY:

- The Department is issuing for the first time a proposed rule on information and document classification and declassification for public comment, which includes rules regarding Restricted Data and Formerly Restricted Data as well as National Security Information. Many provisions result from specific recommendations received from the public which will modify and improve the current program.
- The regulation will increase accountability to the public by requiring that the Department be able to provide a publicly releasable written justification for its classification and declassification decisions. Also, it specifies that the Department will prepare an annual report on the status of the Restricted Data classification program which will be made available to the public. These provisions provide for a greater public understanding of the

program and will result in a more accountable government and, therefore, an anticipated increase in public trust.

- The regulation prohibits classification of information if there is significant doubt about its need for classification. The regulation also prohibits the classification of information which solely addresses environment, safety, and health issues.
- In this proposed rule, the Department's criteria used in making classification and declassification decisions are released for public comment. The criteria collectively establish the basis for analyzing the relative risks and benefits of classification and declassification.
- The regulation mandates that the Department periodically and systematically review documents containing nuclear-related information, Restricted Data, for declassification, based on public interest and likelihood of declassification. While the Department has had an active document declassification program for several years, this requirement will ensure that these reviews continue to be a priority for the Department in the future.
- The regulation provides a framework for more effective classification management. The Department of Energy expects that as stakeholders continue to provide their views to the Department of Energy, and as the Department of Energy gains experience, these regulations will continue to be revised over time.
- Under the Atomic Energy Act of 1954 (as amended), the Department can classify information as Restricted Data even if it is privately generated by persons not under a government contract. While this authority has rarely been used in the past, the Department may still need authority to apply it to minimize unforeseen proliferation concerns in the future. This regulation limits the authority to exercise this provision to the Secretary or Deputy Secretary and also requires a public announcement when this occurs.
- The proposed regulation includes a process to be used by any authorized holder of an RD or FRD document to challenge classification decisions believed to be inappropriate.
- Finally, the regulation establishes a single integrated program for classifying and declassifying Restricted Data throughout the executive branch. Each agency with access to Restricted Data is required to appoint a Restricted Data Management Official, train persons who handle Restricted Data documents, and consult with the Department on Restricted Data issues, as well as provide opportunities for some Departmental oversight of its implementation of the Restricted Data program. These provisions will ensure better government-wide management of nuclear-related information.

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BACKGROUND:

Four recent studies have examined Department of Energy classification policies and procedures: the Classification Policy Study (July 1992); a study of the Atomic Energy Act (January 1994); the National Academy of Sciences' A Review of the Department of Energy Classification Policy and Practice (August 1995); and the Fundamental Classification Policy Review (currently undergoing interagency coordination). All of the studies have concluded that changes are required to the Restricted Data classification system. Meetings with public stakeholders have confirmed that a

regulatory approach is the most effective means to implement these changes in a timely manner.

BENEFITS :

- This proposed rule regulates the classification activities of the government for the benefit of citizens.
- For the first time, the public is being asked to comment on a regulation detailing the Department's policies and procedures governing classification and declassification of nuclear-related information. This public input is critical to the Department in maintaining a program which meets the needs of the public.
- Public availability of classification rules allows the public to track the Department's activities and demand accountability of government, thereby promoting public trust.
- Formalizing the rules will assure that government officials will implement openness as a matter of course in daily activities. Publishing the rules requires a formal process for future changes such that Federal officials cannot revise the rules on an ad hoc basis.
- Publishing the criteria and presumptions used in the classification decision-making process will permit an informed public debate based on all the known facts.
- Several of the regulation's provisions will facilitate increased communication among the Department, other agencies, and the public concerning nuclear-related information. The regulation is a foundation for encouraging the rest of the Government to follow the Department's lead with respect to openness.
- The regulation provides a comprehensive framework to support a more efficient system for the declassification and public release of Restricted Data and Formerly Restricted Data.

WHO ARE THE KEY STAKEHOLDERS?

Organizations and citizens interested in formal changes to the Restricted Data system and all organizations interested in greater public accessibility to and openness by their government will profit by having a greater knowledge of the Department's policies and procedures for classification and declassification of information. Also, **historians** and other individuals involved in recording and analyzing history will be able to integrate better their priorities for declassification of documents into the Department's systematic declassification review program by sending their proposals for systematic review to the DOE Director of Declassification. In addition, other **United States Government Agencies and Departments will derive significant benefit by detailing requirements of the Atomic Energy Act of 1954 (as amended) that have not been specified before.** The Department has identified more than 50 government agencies that generate, handle, or possess Department of Energy classified information, both National Security Information and Restricted Data. This regulation provides much needed guidance to them.

QUESTIONS AND ANSWERS

Q. Where can I get a copy of the proposed regulation?

A. The notice of proposed rulemaking will be published in the Federal Register this week. Also, a copy may be obtained from Janet O'Connell, Department of Energy, Office of Declassification, 19901 Germantown Road, Germantown, Maryland 20874-1290, telephone (301) 903-1113, Facsimile (301) 903-1230. An online copy will be available on the Internet at the Department of Energy OpenNet site:

<http://www.doe.gov/html/osti/opennet/opennet1.html>
or
<http://www.doe.gov/> and selecting the OpenNet icon.

Q. When will comments be due on the proposed regulation?

A. Public comments are requested 60 days from the date of publication.

Q. What will you do with my comments?

A. All comments will be considered by the Department and will be evaluated for feasibility of inclusion in the regulation.

Q. Will the regulation result in any increased costs for the Department or other agencies?

A. None of the provisions of the regulation will impose significant additional costs above those already budgeted. Although much of this data is already being collected, some of the requirements, e.g., annual reporting, may require additional expense. The regulation may result in long-term cost savings by providing the mechanisms for obtaining public input, such as the Openness Advisory Panel and regular calls for declassification proposals, which will better define priorities for focusing declassification-related resources.

Q. Is the regulation in concert with the Fundamental Classification Policy Review?

A. The regulation is consistent with the principles stated in the Fundamental Classification Policy Review report. Approved recommendations from the report will be reflected in the final regulation as appropriate.

DELIVERING THE RESULTS OF OPENNESS TO THE CUSTOMER

The Department of Energy is increasing public access to declassified documents by placing a database on the Internet that will help locate information about the documents that have been reviewed under Executive Order (E.O.) 12958. The E.O. (which was signed by President Clinton on April 17, 1995) prescribes a uniform system for classifying, safeguarding, and declassifying National Security Information (NSI). In the course of conducting declassification reviews under the E.O., the DOE has recorded significant amounts of information that will assist researchers in locating records at the National Archives and Records Administration (NARA) as well as at the DOE Headquarters' History Division. This information is recorded for individual storage boxes of records and has been assembled into a database giving details regarding the contents of the boxes of records that have been reviewed. Today, public access to this database is on the Internet under DOE's OpenNet database.

SPECIFICALLY

The new development is an Historical Records Database that provides a timely means to identify the status of the review of documents of interest by a wide group of requesters. The database contains information needed to help identify materials within any collection that the Office of Declassification is in the process of reviewing. This information includes Collection Title, Entry Title, Box Titles, period covered by each box, a list of key words describing the contents of each box, and the name of the facility holding the records. It is searchable on titles, key words, and time period covered.

The new data here is located on the Internet under the DOE OpenNet which was activated on the Internet in December 1994 as a publicly accessible database of records that have been declassified and released to the public. OpenNet provides a means to search for references on a wide variety of

topics relevant to DOE operations, such as historical information, environmental, and public health issues, etc. The available information includes title, author, location, and person to contact. As of December 27, 1996, there have been more than 81,500 users of the database.

OpenNet also contains information on collections of documents relating to human radiation experiments, nuclear testing, radiation releases, and fallout. This information, while not a complete listing of all the documents which are currently available to the public, is continuously updated to include other documents as they are released. The Department of Energy's OpenNet database may be accessed directly.

Researchers using the database should be aware that the database includes records that are still being reviewed. Listing in the database does not necessarily indicate that the records are yet publicly available.

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BACKGROUND:

The DOE recognizes that without ready access to declassified documents, our declassification actions may be meaningless.

The DOE Historical Records Database started out as a method of recording data gathered during the survey of historical DOE documents held by the National Archives. The survey was used to develop a plan to meet the declassification goals of E.O. 12958. The survey gathered information concerning volume, classification, and character of those documents to be reviewed. Prior to starting the actual reviews, the survey database was modified and transformed into the National Security Information (NSI) Review System.

Characterization data that a document reviewer gathers while reviewing a box, folder, or a document under E.O. 12958 is stored in the Historical Records Database. Characterization data includes Record Group, Entry Number, and Box Titles, and the key words that describe a single box within a collection. This data is used to track the progress of the review and to identify the other Government agencies' information that is contained in DOE records.

The Department developed a list of 258 key words that would be used to categorize each box of documents that are declassified. The key words were reviewed to ensure that no matter what combination of words were used to describe a box, the resulting description would be unclassified. The NSI Review Database now has data entered for a collection of more than 1400 declassified boxes representing over three and one half million pages of documents.

After a collection of classified documents has been reviewed, other government agencies are notified of which boxes contain their declassification concerns, the location of those boxes, and an approximate volume of the material that contains their equities. Procedures vary slightly depending upon whether DOE History Division or the National Archives and Records Administration (NARA) has possession of the records. History Division controls the access and public release of the documents stored there. Regarding DOE document declassification reviews at NARA, once all agencies having classification concerns in a collection have completed their review, the Office of Declassification notifies NARA that the collection has been completely reviewed. NARA controls the access and public release of these documents.

Public Release of Declassified Documents. DOE makes its collections available to the public by

opening its unclassified archives to the public on a demand basis. The DOE History Division will segregate and move boxes to NARA only after all other agencies' classification concerns have been reviewed.

NARA does not segregate and move boxes to a public area until all other agencies' classification concerns have been reviewed. The act of publicly releasing a collection entails:

- Obtaining exemptions from other Government agencies;
- Removing Restricted Data, Formerly Restricted Data, and exempt NSI documents from the collection;
- Copying or otherwise scanning the documents and making electronic or hard copies available to the facility where they are being made available to the public;
- Indexing the publicly released material and publicly releasing the index.

NARA's declassified records are eventually transferred to open researcher reading rooms that are available to NARA certified researchers.

BENEFITS

Openness and access go hand-in-hand. Access makes the declassification actions meaningful.

As part of its Openness initiative, the Department of Energy is establishing a database on the Internet that will provide finding aids to locate information about documents reviewed for declassification. Making this information available promotes government accountability and trust in the government by the public. Many documents have been declassified since 1994 by the Office of Declassification at NARA and in the DOE History Division. It is of little value for the Department to conduct declassification reviews without informing the public of the documents that have been reviewed and providing information on where to find them. Until now, the public has had access to only a very small percentage of that total. Placing the Department of Energy's database of declassified documents on the Internet informs the public of the records that have been reviewed and provides finding aid information to help identify their content and location.

WHO ARE THE STAKEHOLDERS?

Historians, researchers, members of the public, and other parties with an interest or need for the documents that have been reviewed for declassification by the DOE. Also, **the Department of Energy and other government agencies** will benefit because the database will provide a means to determine whether certain documents have already been declassified and thus avoid duplication of effort.

QUESTIONS AND ANSWERS

Q. How do I obtain documents?

A. Send a request to either the National Archives at College Park or to DOE Headquarters. The request should state the specific subject matter of the documents that you are looking for, including the Record Group, Entry, and Box Numbers that you identified during your search.

The contact at the National Archives is:

Marjorie Ciarlante
Archives, Textual Reference Branch (NN-R2)
Room 2600
National Archives at College Park

8601 Adelphi Rd
College Park, MD 20740-6001
(301) 713-7250

At HQ Department of Energy the contact is:

Betsy Scroger
HQ DOE/History Division
19901 Germantown Rd
Germantown MD, 20874-1290
301-903-8767.

The DOE Historical Records database can be accessed through the Internet address for OpenNet. To search and obtain a review status enter:

<http://www.doe.gov/html/osti/opennet/opennet1.html>
or go to
<http://www.doe.gov/> and select the OpenNet icon.

Q. Why aren't the millions of recently declassified documents listed on the OpenNet?

A. There are several reasons:

- The box level data base that is announced today will provide details only for the documents that have been reviewed under the E.O. at the National Archives and in the DOE History Division. There are other equities for which the reviews have not yet been completed, including privacy and export control information.
 - There are a large number of documents that have been reviewed for privileged releases, e.g., litigation, which cannot be publicly released until after completion of the court action.
 - The remainder either have been or are being processed to be placed on the OpenNet.
-

CONTRACTING FOR RESPONSIBLE OPENNESS

The Department of Energy Acquisition Regulation is being revised to require all Department of Energy contractors to perform a systematic review of certain classified documents in their possession for declassification. Since the majority of Department of Energy classified records are generated by and are under the control of its contractors, the Department's openness goals can be fulfilled only if contractors are fully committed to its success. This review provides formal guidance on how responsible Openness should be made a part of doing business. It places an affirmative requirement on each of the numerous contractors which support the Department's programs to assure that documents which no longer require protection for national security or nonproliferation reasons are declassified and made available to the public.

SPECIFICALLY:

- The Department of Energy is revising its Acquisition Regulation to require all Department of Energy contractors not only to classify documents which require protection because of national security or nonproliferation reasons, but also to review classified documents for declassification systematically when such reasons are no longer valid.
- Each contractor will be required to review documents for declassification following regulations, directives, and manuals issued by the Department of Energy.

- Emphasis will be placed on those documents which are of greatest interest to the public and which have the greatest likelihood of declassification.

U.S. Department of Energy
Office of Congressional, Public
and Intergovernmental Affairs
Media Contact: Amber Jones/Chris Kielich
(202) 586-5806

U.S. Department of Energy
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Program Contact: A. Bryan Siebert
(301) 903-3521

BACKGROUND :

In the past, Department of Energy contractors have been required to classify those documents containing information of national security or nonproliferation concern. This revision to the Department's Acquisition Regulation recognizes that a balance is required between the Department's mission to protect the national security and prevent nuclear proliferation and its commitment to maximize the amount of information available to the public. Only when both classification and declassification reviews are performed can the Department achieve its goal of protecting the national security while providing the public with access to as much Government information as possible.

BENEFITS :

- Documents in the possession of Department of Energy contractors will be systematically reviewed and declassified and made available to the public.
- Release of the documents provides additional information to encourage informed debates on nuclear materials management, including safety, security, storage, and accountability.
- Declassification of documents assists historians and archivists to prepare an accurate history of post-World War II policies and activities.
- Declassified documents will assist regulators who oversee environmental, health, and safety activities.
- Release of declassified documents will permit more environmental-related information to be provided to stakeholders, such as residents near Department of Energy sites.
- Release of declassified documents should encourage other nations to declassify similarly.

WHO ARE THE KEY STAKEHOLDERS?

Historians, researchers, and members of the general public will benefit from this change to the Department of Energy's Acquisition Regulation. The revision will allow them to have access to documents which are reviewed and declassified by the Department of Energy itself as well as those documents which are reviewed and declassified by its contractors.

QUESTIONS AND ANSWERS

Q. Has the change to the Department's Acquisition Regulation been published in the Federal Register?

A. Yes, it was published in the November 20, 1996, issue of the Federal Register (Volume 61, No. 225).

Q. When are comments due and to whom should they be sent?

A. Written comments are due on January 21, 1997, and can be submitted to Richard B. Langston; Office of Policy (HR-51); Office of the Assistant Secretary for Procurement and Assistance Management; U. S.

Department of Energy; 1000 Independence Avenue, SW; Washington, DC 20585.

Q. When will the regulation be finalized?

A. The regulation is expected to be finalized and issued within 90 days of the close of the comment period (around the third week of April 1997).

Q. When can I expect to see the benefits from this change in the Department's Acquisition Regulation?

A. This new requirement does not apply retroactively to existing contracts, but will require a 5-year phase-in period; i.e., it will be included in each contract which is newly issued, extended, or modified after the date the regulation is issued. For example, the requirement to review documents for declassification systematically will be included in the contracts for the Lawrence Livermore National Laboratory and the Pacific Northwest National Laboratory as early as September 1997, but may not appear in the Savannah River Laboratory and Plant contract until September 2001.

NUCLEAR CLASSIFICATION POLICY REINVENTED

The Secretary of Energy today is providing the final report on the Fundamental Classification Policy Review to the Department of Defense for concurrence. The Department of Defense intent is to respond by March 1, 1997. The final report includes items proposed for declassification and other items referred to the Technical Evaluation Panel for further analysis. The purpose of this review has been to evaluate in a fundamental way the Department's classification policies, including determining which areas of classified information require continued protection for identified reasons of national security and nonproliferation and which areas may be declassified without undue risk and promptly released to the public.

In March 1995, the Secretary of Energy invited people from across the nation to attend a public meeting in Washington, D.C. This historic meeting brought together scientists, weapons experts, military officers, historians, environmentalists, and others to begin a comprehensive review of the Department of Energy's classification policy. The unprecedented challenge: to review all information classified by the Department. The clear charge: to hear all voices and to seek input from within the Department, its contractors, the national laboratories, and most importantly, from the American public. The Fundamental Classification Policy Review marked the first time that a Government agency has actively sought public input on a fundamental review of its classification policy.

The Department of Energy, the Department of Defense, and other government agencies have completed an exhaustive top-to-bottom review of the Fundamental Classification Policy Review's recommendations. As a result, the ground rules of classification are changing. These changes, currently being circulated, are expected to be approved by March 1, 1997. New and revised classification guides will be prepared based on areas of agreement.

SPECIFICALLY:

The Fundamental Classification Policy Review assessed Department of Energy classification policies to determine which information requires continued protection for national security reasons with the objective of promptly declassifying and releasing all information no longer warranting such protection. The review made over one hundred recommendations to declassify specific information. A draft report was issued for public comment in February 1996. Interagency review of the Fundamental Classification Policy Review's recommendations began last spring.

Led by Dr. Al Narath, former Director of Sandia National Laboratories and currently President, Energy and Environment Sector, Lockheed Martin Corporation, the review was staffed by 60 experts drawn from Government agencies, contractor organizations, and the national laboratories.

The review's initial output was released to the American public in February 1996. After public comments were reviewed, the final draft report of the Fundamental Classification Policy Review was delivered to the Secretary of Energy. In turn, the Secretary sought a comprehensive interagency review of the final draft report.

The Fundamental Classification Policy Review recommended changes in the Department's classification policies and practices, including:

- Eliminate "Born Classified," the concept that all new nuclear-related information is classified.
- Increase the level of protection for the most sensitive information.
- Declassify scientific and technical information not helpful to proliferants or other adversaries.

The review also endorsed retention of current classification policy in a number of instances, but recommended stronger control in those areas which are truly sensitive and where release would contribute to nuclear proliferation or make the United States vulnerable to adversaries.

The Department of Energy and the Department of Defense co-chaired an interagency review of the Fundamental Classification Policy Review's recommendations. The interagency review assured that all Government Departments' missions and priorities were considered. Support and advice from the Department of State, the Arms Control and Disarmament Agency, and the Intelligence Community were crucial to the quality of the interagency review process and a complete understanding of all the complex issues involved.

Formal interagency review is nearing completion. Agreement on the disposition of the review's original recommended changes has been reached and its final step is formal concurrence at the Department of Defense. While full implementation of some items will require changes to the Atomic Energy Act, changes to the Department's classification practices can begin immediately. The public will begin reaping the rewards of this effort soon. Changed classification policy will allow increased access to information developed over the last five decades without impacting the safety or security of the American people.

Preparation to implement the review's recommendations formally is under way in the Office of Declassification. Classification guidance is being redrafted and, after necessary coordination, will be forwarded to all classification personnel. Drafts of changes to the Atomic Energy Act are also being developed.

The guiding principles developed by the Fundamental Classification Policy Review have been accepted. Therefore:

- The Department of Energy will classify information only if its unrestricted distribution would damage the national security.
- The Department of Energy will build "higher fences around narrow areas," and release more scientific, technical, and historical information to the public.
- The Department of Energy will classify fewer documents, declassify more documents and make the declassified ones available to the public.
- The Department of Energy will reduce costs and better focus its scarce classification and security resources on the most critical information.

The Office of Declassification will update its Draft Public Guidelines to Department of Energy Classification of Information (June 1994), based on the results of the Fundamental Classification Policy Review.

The next step after Department of Defense concurrence is to revise the classification guides. Revisions to the classification guides are important since it is these guides which, based upon the final results of the fundamental review, will provide the new basis for classification and declassification decisions on actual documents. Upon utilization of the revised guides, there will be less information classified either in newly originated documents or in the review of older documents to be made available to the public. Additionally, information which has been determined to justify continued classification due to its clear national security significance will be better protected.

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BACKGROUND :

- As part of the President's commitment to an open and accountable government, the Department of Energy has been working to update its classification policies which have seen little change in 40 years. The Fundamental Classification Policy Review has been key to this effort.
- The review began at a public meeting at Department of Energy Headquarters in March 1995, hosted by Secretary O'Leary. A second public meeting was held in Oakland, California, in August 1995.
- Dr. Albert Narath, former Director of Sandia National Laboratories and currently President, Energy and Environment Sector, Lockheed Martin Corporation, chaired the review. Over 60 experts from government agencies, contractor organizations, and the national laboratories served on the review.
- The review was organized into seven working groups, each focusing on a specific area of Department of Energy classified information. The working groups were: Weapons Science; Weapons Design; Nuclear Materials Production; Weaponization; Production and Military Utilization; Military Reactors; and Safeguards and Security.
- More than 25 working group meetings were held. While most meetings were classified, arrangements were made to permit uncleared individuals to address the working groups on specific issues.
- In February 1996, a draft of the Report of the Fundamental Classification Policy Review was released to the public. Comments were incorporated into the final draft report delivered to Secretary O'Leary in March 1996. Since then, the final draft report of the Fundamental Classification Policy Review has been undergoing interagency review.

BENEFITS :

Successful completion of the Fundamental Classification Policy Review will demonstrate that:

- Responsible openness enhances national security by focusing limited classification and security resources on protection of only that information which is clearly identified as important to the national security.
- When secrecy contributes to citizens' distrust of their government, the classification policies which underlie the distrust can be changed to maintain the trust without compromising national security.
- Even in matters involving the most sensitive of classified information, citizens can participate first

by recommending such a review take place, and then by providing valuable views on what should and should not be classified by their government.

- The public accepts the need for classification, but acceptance is contingent upon accountability.
- Shifting the burden of proof from those who want to declassify to those who want to classify profitably focuses discussion and analysis on just what, if any, identifiable national security interests are involved.
- The diverse views of the government's many elements can be considered effectively in matters of significant national security importance. Government elements having sometimes conflicting subject matter, technical, or policy perspectives can work and learn together to improve the quality of the ultimate product.
- Using the Department of Energy as an example, other agencies will be encouraged to prepare fundamental reviews of their classification policies.
- Other nations should be encouraged to prepare fundamental reviews of their classification policies.

WHO ARE THE KEY STAKEHOLDERS?:

The Stakeholders in the Fundamental Classification Policy Review include **concerned citizens** who wish to investigate topics of interest and gain desired information while retaining confidence that truly sensitive information continues to be protected. In addition, many public interest groups have addressed meetings of the Fundamental Classification Policy Review and or otherwise communicated their concerns regarding Department of Energy classification policy.

QUESTIONS AND ANSWERS

Q. What agencies were involved in the interagency review?

A. The Department of Energy has direct responsibility under the Atomic Energy Act for administration of the Restricted Data program and has joint responsibility with the Department of Defense for Formerly Restricted Data. Therefore, these two agencies had lead responsibility for the interagency review process. The Department of State, the Arms Control and Disarmament Agency, and the Intelligence Community provided invaluable support and assistance to the interagency review process and deliberations.

Q. Why were some of the review's recommendations not accepted?

A. Primarily, these recommendations fell into two categories. First, the review of the original recommendations by the Fundamental Classification Policy Review team by other-agency experts produced useful added information which increased understanding and made declassification inadvisable. Second, there was information upon which, after extensive discussion, the agencies could not agree. This information was referred for additional study by the Technical Evaluation Panel, a group who provides technical expertise and assistance to the DOE Director of Security Affairs.

Q. What kinds of concerns caused recommendations to be rejected or deferred?

A. If information recommended for declassification was determined to be crucial to national security, or of clearly demonstrated significant value to a proliferant, declassification was rejected. If questions of national security or value to a proliferant could not be answered to the satisfaction of the interagency review, the item was referred for further study by the Technical Evaluation Panel.

Q. Why was the Intelligence Community involved in the interagency review?

A. The Intelligence Community advised the interagency review on the status of proliferant programs so

that determinations of the value of specific information could be made.

Q. What is the schedule for changing the Atomic Energy Act to eliminate the born classified problem?

A. The proposed classification regulation being published in the Federal Register inviting public comment goes a long way towards eliminating the presumptive nature of the Department's classification program. Schedules for the preparation of a legislative package in accordance with the review's recommendations have not been finalized.

Q. What is happening with Unclassified Controlled Nuclear Information (UCNI)?

A. The review has recommended that the future use of UCNI be restricted to Safeguards and Security information. Other information, currently protected as UCNI, will be reviewed and removed from this category on a case-by-case basis or reclassified once appropriate authority is obtained.

Q. Will the revisions to the classification guides be reviewed by DoD before their utilization?

A. Yes, significant progress has been made in reviewing the guides pending final approval of the changes to classification policies which underlie the guides. The revised classification guides will be coordinated with DoD.

Q. How can I obtain a copy of the report of the Fundamental Classification Policy Review when it is completed?

A. Please submit requests to Mr. W. Gerald Gibson, Director, Technical Guidance Division, Office of Declassification, NN-522, US Department of Energy, 19901 Germantown Road, Germantown, MD 20874, telephone (301) 903-3689, facsimile (301) 903-7444.

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